

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOHN ERICKSON et al.,

Plaintiffs,

v.

JPMORGAN CHASE BANK, N.A. et al.,

Defendants.

CASE NO. 2:23-cv-01801-LK

ORDER REQUESTING
SUPPLEMENTAL BRIEFING

This matter comes before the Court sua sponte. Defendant JPMorgan Chase Bank, N.A. (“Chase”) filed a motion to dismiss arguing, among other things, that Plaintiffs’ claims are barred by collateral estoppel because Plaintiffs have raised the same issues in prior lawsuits and those issues were resolved against Plaintiffs on the merits. Dkt. No. 48 at 1–2, 6–9. That contention, if true, could also bar Plaintiffs’ claims against the other Defendants under the doctrine of non-mutual collateral estoppel. *See, e.g., Sahlberg v. P.S.C. Inc.*, 626 Fed. App’x 719, 721–22 (9th Cir. 2015); *LaRoche v. Smith*, C15-1003-TSZ, 2016 WL 1221658, at *2 (W.D. Wash. Mar. 19, 2016).

Accordingly, the Court requests that the parties provide supplemental briefing regarding whether the doctrine of non-mutual collateral estoppel bars Plaintiffs’ claims against all

1 Defendants. Plaintiffs must file a combined brief addressing that issue and responding to Chase's
2 motion to dismiss, Dkt. No. 48, by January 26, 2024. By February 2, 2024, Chase shall file its
3 reply in support of its motion to dismiss, and all other Defendants shall file their response to
4 Plaintiffs' brief on this issue.

5 The Clerk of the Court is directed to rene Chase's motion to dismiss, Dkt. No. 48, for
6 February 2, 2024.

7 Dated this 12th day of January, 2024.

8 

9

Lauren King
10 United States District Judge
11
12
13
14
15
16
17
18
19
20
21
22
23
24